

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

UNITED STATES DISTRICT COURT
 for the
 Western District of Texas

ABIGAIL GRAMILLO GALAVIZ

)

Plaintiff/Petitioner

)

v.

)

LUIS ENRIQUE REYES

)

Defendant/Respondent

)

Civil Action No. 3:21-cv-00286

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Long Form)

Affidavit in Support of the Application

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

DocuSigned by:

Signed:



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Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is “0,” “none,” or “not applicable (N/A),” write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case’s docket number, and the question number.

Date: 11/16/2021

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0.00	\$	\$	\$
Self-employment	\$ 1,217.75	\$	\$ 1,454.00	\$
Income from real property (such as rental income)	\$ 0.00	\$	\$	\$
Interest and dividends	\$ 0.00	\$	\$	\$
Gifts	\$ 0.00	\$	\$	\$
Alimony	\$ 0.00	\$	\$	\$
Child support	\$ 0.00	\$	\$	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Disability (such as social security, insurance payments)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Unemployment payments	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Public-assistance (such as welfare)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Other (specify):	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total monthly income:	\$ 1,217.75	\$ 0.00	\$ 1,454.00	\$ 0.00

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Self employed	Avenida Bulevard Gomez Morin #9856	01-18-2021 to Present	\$ 1,217.75
Self employed	Calle Privada Manantial #7553	09-10-2018 to 01-17-2021	\$ 1,100.00

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A			\$ 0.00
			\$ 0.00
			\$ 0.00

4. How much cash do you and your spouse have? \$ 150.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
BBVA		\$ 79.46	\$ 0.00
		\$ 0.00	\$ 0.00
		\$ 0.00	\$ 0.00

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse		
Home (Value)	\$	0.00
Other real estate (Value)	\$	0.00
Motor vehicle #1 (Value)	\$	1,916.00
Make and year: 2008 Saturn		
Model: VUE		
Registration #: VIN: 3GSDL43N58S615465		
Motor vehicle #2 (Value)	\$	1,488.00
Make and year: Mercedes-benz 2001		
Model: ML 320 Sport Utility 4D		
Registration #: VIN: 4JGAB54E11A286658		
Other assets (Value)	\$	0.00
Other assets (Value)	\$	0.00

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$ 0.00	\$
	\$ 0.00	\$
	\$ 0.00	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
A.G. R. G.	Child	5
G.A.R.G.	Child	4
A.N.F.G	Child	12

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (<i>including lot rented for mobile home</i>) Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	\$ 250.00	\$
Utilities (<i>electricity, heating fuel, water, sewer, and telephone</i>)	\$ 203.73	\$
Home maintenance (<i>repairs and upkeep</i>)	\$ 0.00	\$
Food	\$ 150.00	\$
Clothing	\$	\$
Laundry and dry-cleaning	\$ 0.00	\$
Medical and dental expenses	\$	\$
Transportation (<i>not including motor vehicle payments</i>)	\$ 120.00	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 50.00	\$
Insurance (<i>not deducted from wages or included in mortgage payments</i>)		
Homeowner's or renter's:	\$ 0.00	\$
Life:	\$ 0.00	\$
Health:	\$ 0.00	\$
Motor vehicle:	\$ 0.00	\$
Other:	\$ 0.00	\$
Taxes (<i>not deducted from wages or included in mortgage payments</i>) (<i>specify</i>):	\$ 0.00	\$
Installment payments		
Motor vehicle:	\$ 0.00	\$
Credit card (<i>name</i>):	\$ 0.00	\$
Department store (<i>name</i>):	\$ 0.00	\$
Other:	\$ 0.00	\$
Alimony, maintenance, and support paid to others	\$ 0.00	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$	1,161.19	\$
Other (specify): Personal loan of \$968.91	\$	50.00	\$
Total monthly expenses:	\$	1,984.92	\$ 0.00

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? Yes No

If yes, how much? \$ 727.61

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings. I filed a custody suit in Mexico with assistance of counsel. Even though hiring an attorney in Mexico is substantially less expensive than it is in the United States, I had to take a personal loan in able to hire my attorney on a low bono basis. I am self employed as a hairdresser and what I make barely allows me to make ends meet.

12. Identify the city and state of your legal residence.

Juarez, Chihuahua, Mexico

Your daytime phone number: (656) 557-4379

Your age: 36 Your years of schooling: 18



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**DETAILED STATEMENT FOR REGULAR EXPENSES FOR OPERATION OF
BUSINESS, PROFESSION.**

Expense	Amount
Rent	\$451.12
Electricity	\$145.52
Water	\$14.55
Supplies	~\$550.00
Total	\$1161.19

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

ABIGAIL GRAMILLO GALAVIZ,

§

Petitioner,

§

v.

§

Case No.: _____

LUIS ENRIQUE REYES,

§

Respondent.

§

ATTORNEY'S CERTIFICATION OF FREE LEGAL REPRESENTATION PURSUANT
TO IOLTA

"My name is **MARIA JOSE VALLEJO MANZUR** I am of sound mind and capable of making this declaration. I am personally acquainted with the facts herein stated, which are true and correct. I swear these facts are true under the penalty of perjury of the State of Texas.

I, **MARIA JOSE VALLEJO MANZUR**, am representing the Plaintiff, ABIGAIL GRAMILLO GALAVIZ, through Texas RioGrande Legal Aid. I am providing free legal services to Plaintiff without contingency. I have agreed to represent the client at no charge because her case is one of importance and Plaintiff has limited income. Texas RioGrande Legal Aid is a 501(c)(3) that receives funds from the Texas Access to Justice Fund and is an IOLTA-participating program. Plaintiff has been screened for income as per the IOLTA guidelines."

Signed on November 15, 2021 in Austin, Texas.

Respectfully submitted

Texas RioGrande Legal Aid, Inc.
4920 N. I-35, Austin, Texas 78751
Tel: (512) 374-2711

By: /s/ Maria Vallejo
MARIA JOSE VALLEJO MANZUR
TX SBN 24110469
mvallejo@trla.org
Attorney for Plaintiff